

Post-it* Fax Note	7671	Date	7-26-7	# of pages	4
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Please get copies of this
important message to all
South Platte Task Force
members prior to 7-27-7
meeting, if possible. I'll
bring extra copies to
meeting. Thank you.

Dave Miller

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July 25, 2007

Memo For: John Stulp and Harris Sherman, Co-Chairmen
Governor's South Platte River Task Force

From: Dave Miller, strategic energy and water planner



Subject: Emergency Development to Save Colorado's Water and Agriculture

Statement of Problems Colorado's interstate water and east slope farms are in jeopardy, because of our state's thirty-year failure to develop and beneficially use its substantial Colorado River Compact entitlements. Colorado needs assured new water supplies for its droughts, growth, farms, and interstate obligations in Nebraska and Kansas. Colorado's current water shortages and farm dry-ups are escalating, because Front Range cities are being forced to prematurely use and reuse their existing trans-mountain rights to extinction. Colorado's South Platte and Arkansas River Valleys are green and highly productive, because of irrigation wells approved by several State Engineers, who assumed Colorado would have the foresight and political will to develop its Colorado River entitlements.

Background Colorado is blessed with high mountains that provide most of the renewable water used by cities, farms, and environments throughout down river states on both sides of the Divide. Colorado's legislature wisely established the Colorado Water Conservation Board in 1937, and the Colorado Water Resources and Power Development Authority in 1982, to expedite planning, protection, and development of Colorado's interstate compact entitlements for current and future generations. Historically, Colorado leaders and water agencies have had a strong sense of urgency for interstate water development, because of the ultimate "use it or lose it" water law of the West.

Since the early 1980's, Colorado has leaned heavily toward the national green notion that "storage projects are politically incorrect". In fact, Colorado is now the only western prior appropriation state that does not maintain a strong professional public planning process to provide integrated water development recommendations for statewide needs. Colorado is also the only state that relies heavily on territorial water courts and excessive conditional water rights to guide its strategic interstate and inter-basin water development decisions.

Colorado's legislature has appropriated many millions of dollars over the last thirty years for numerous basin water studies and interstate compact assessments. Unfortunately, none of these basin studies has led to integrated, statewide solutions, as intended by the legislature. The recent 1000 page Statewide Water Supply Initiative (SWSI) was a good step in the right direction, because it provided compatible data that could be integrated and used to formulate statewide solutions, as directed by the legislature. Unfortunately, SWSI's "solution objectives" were

quickly abandoned, because of strong opposition between Colorado's water short and surplus river basins. The water studies, authorized by the legislature since SWSI, are again focused on detailed reviews of individual basin needs and compact entitlements, instead of Colorado's available statewide solutions.

About 85% of Colorado's water originates west of the Divide, while about 85% of its city and farm needs are east of the Divide. Department of Interior Consumptive Uses and Losses Reports indicate Colorado has only been using about 60% of its Colorado River Compact entitlements since the 1970's. Colorado's minor Compact usage gains have been largely offset by the west slope's steady conversion from irrigated farming to tourism. Under Colorado's Constitution, unallocated interstate compact entitlements belong to all Coloradans — not just the basin of origin.

Colorado is currently experimenting with a unique Basin Roundtable and Inter-basin Compact Committee concept to negotiate and allocate unused state waters between basins. This unusual grass roots approach to strategic water planning may eventually bridge the historic institutional barriers between basins. However, this complex decision process may not be timely to save Colorado's threatened farms and compact entitlements from the political pressures of explosive urban growth throughout the Southwestern Region.

All Coloradans should be especially concerned with the west slope's current position that Colorado should bank its remaining Colorado River Compact entitlements in Lake Powell to prevent future Lower Basin calls on our existing trans-mountain projects. If this thinking prevails, Colorado's economic and environmental future is in deep trouble.

Near-term Solutions Colorado is fortunate to have two private initiatives that could quickly solve its water shortages and farm crisis with Colorado's wasted Colorado River Compact entitlements.

Aaron Million's Flaming Gorge Pumpback proposal via Utah and Wyoming is viable, because it would bypass Colorado's west slope institutional and political barriers with a long pipeline from a large existing Bureau of Reclamation reservoir.

Natural Energy's proposed Central Colorado Project (CCP) is a paradigm natural resources breakthrough. It can jointly use two existing Bureau reservoirs with its high altitude Union Park Pumped-Storage Site. This integrated storage complex, totaling 2.3 million acre-feet, can multiply the reliability, productivity, and quality of existing renewable energy and water resources throughout the Gunnison, Colorado, South Platte, Arkansas, and Rio Grande river systems. CCP's flexible gravity augmentations can also compensate for highly variable climate changes. CCP's unprecedented resource multiplier capabilities are briefly described in the previously provided Central Colorado Project White Paper, dated April 19, 2007.

A farsighted team of natural resources planners can use advanced computer simulations to provide a preliminary, NEPA required, scoping comparison of Colorado's CCP and Flaming Gorge options within a few months. The first construction phases of both projects could be

completed for east and west slope cities, farms, and environments within three years of a green light from Colorado leaders.

Emergency Recommendations:

- Reallocate some existing Colorado water study appropriations to fund an emergency 120 day scoping evaluation of Colorado's Flaming Gorge and Central Colorado Project options;
- Invite potential federal and local participants to serve as advisors to the high powered team selected to conduct Colorado's scoping evaluation;
- Promote concurrent permitting and design of the project(s) selected to expedite construction;
- Provide emergency rules or legislation to allow South Platte well pumping until new Colorado River Compact waters are available for city, farm, and environmental needs.

cc: Governor Bill Ritter

Senator Jim Isgar, Chairman, Water Resources Review Committee